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PATENT APPLICATION

RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shigeo KUROSE et al.

Application No.: 10/050,857

Filed: January 18, 2002

For: MAGNETIC RECORDING MEDIUM AND PROCESS FOR PRODUCING THE SAME

Attorney Docket No.: OKA-0013/DIX

Examiner: S. Resan

Art Unit: 1773

Confirmation No.: 9953

AJ/C  
# 8/4/25/03

**AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. §1.116**

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the final Office Action dated March 6, 2003, the period for response being extended to July 6, 2003, by the Petition for Extension of Time filed herewith, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please cancel claims 8 and 9 without prejudice or disclaimer.

Please amend claim 1 as set forth below in clean form. Additionally, in accordance with 37 CFR 1.121(c)(1)(ii), the amended claim(s) are set forth in a marked-up version in the page(s) attached to this Amendment.

1. (TWICE AMENDED) A magnetic recording medium comprising a lower non-magnetic layer containing at least a carbon black and a lower layer binder resin on a non-magnetic support and an upper magnetic layer having a thickness of 0.30  $\mu$ m or less on the lower non-magnetic layer, wherein the upper magnetic layer contains at least a ferromagnetic powder, an upper layer binder resin, and an abrasive having a Mohs hardness of 6 or higher and a smaller average particle size than the